

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Joe G. Lopez, Senior Deputy Clerk.

F038701 People v. Veleta

Parties stipulate that (1) Buckley, J., the absent assigned justice, participate in the determination of this appeal, and (2) Buckley, J., to listen to the recording of oral proceedings upon his return.

Cause called and argued by Laura Schaefer, Esq., counsel for appellant and by Brian Alvarez, Esq., Deputy Attorney General, counsel for respondent.

Submission deferred until December 23, 2002, for Buckley, J., to listen to the recording of oral argument.

F038316 People v. Deats

Parties stipulate that (1) Buckley, J., the absent assigned justice, participate in the determination of this appeal, and (2) Buckley, J., to listen t the recording of oral proceedings upon his return.

Cause called and argued by Charles M. Bonneau, Esq., counsel for appellant and by Peter H. Smith, Esq., Deputy Attorney General, counsel for respondent.

Submission deferred until December 23, 2002, for Buckley, J., to listen to the recording of oral argument.

Court recessed until Thursday, December 19, 2002 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Lisa J. Prosser, Senior Deputy Clerk.

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F036403 Chiou et al. v. San Joaquin Bank

Parties stipulate that (1) Buckley, J., the absent assigned justice, participate in the determination of this appeal, and (2) Buckley, J., to listen to the recording of oral proceedings upon his return.

Cause called and argued by Kenneth W. Kind, Esq., counsel for appellants Yow Yea Chiou et al., and by John R. Szewczk, Esq., counsel for appellant San Joaquin Bank.

Submission deferred until December 23, 2002, for Buckley, J., to listen to the recording of oral argument.

The court adjourns.

F039574 People v. Anaya

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039574 People v. Anaya

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE

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Fifth Appellate District

F041930 In re Robert Newton on Habeas Corpus

Petitioner is directed to cause a notice of appeal to be filed on or before 30 days from the date of this opinion in Kings County Superior Court action No. 01CM2384.

Let a petition for writ of habeas corpus issue directing the Clerk of the Kings County Superior Court, if he receives said notice on or before 30 days from the date of this opinion, to file the notice, to treat it as being timely filed, and to proceed with the preparation of the record on appeal in accordance with the applicable rules of the California Rules of Court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041157 People v. Garcia

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F039552 Burgess v. Lowrie

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F040962 In re Destiny J., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F040962 In re Destiny J., a Minor

The May 9, 2002, orders denying appellant's section 388 petition and terminating parental rights as to Destiny are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038443 People v. Atencio

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.